

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JON HART, et al.,  
Plaintiffs,

v.

TWC PRODUCT AND TECHNOLOGY  
LLC,  
Defendant.

Case No. [20-cv-03842-JST](#) (JSC)

**ORDER RE: JOINT DISCOVERY  
DISPUTE STATEMENT**

Re: Dkt. Nos. 81, 82

Now pending before the Court is a discovery dispute regarding Defendant's document production in response to Plaintiffs' April 2021 Request for Production of Documents. (Dkt. No. 81.<sup>1</sup>) The parties did not submit with their filing Defendant's written response to the Request for Production of Documents; accordingly, the Court does not know whether Defendant did not submit a written response in light of the Court's order that it re-produce the documents produced in the Los Angeles City Attorney action. In any event, if Defendant has not done so, it shall do so as set forth below. And if it has done so, it shall produce an amended response that complies with the following requirements.

First, the Response shall comply with Federal Rule of Civil Procedure 34(b)(2)(B) & (C). In particular, for each "item or category" Defendant shall state whether it has produced all documents responsive to the request and, if not, the grounds for objecting to production of

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<sup>1</sup> Three days after the initial discovery brief was filed, Plaintiffs filed a "Corrected Joint Discovery Letter Brief." (Dkt. No. 82.) The "corrected" brief does not identify what corrections were made between the two versions of the brief. Based on the Court's comparison, the only change appears to be a rephrasing of the characterization of the correspondence attached to the parties' joint discovery letter brief. *Compare* Dkt. No. 81 at 2:2-3 ("The relevant correspondence is attached as Ex. A") *with* Dkt. No. 82 at 2:2-3 ("Excerpts of certain relevant correspondence are attached as Ex. A."). This is neither proper nor helpful. To the extent that a party seeks to correct an earlier filing any such corrections must be clearly identified.

1 particular documents.

2 Second, Defendant shall identify the search terms it used on which custodians and date  
3 ranges to identify the documents responsive to a particular request, and/or whatever other searches  
4 it conducted to locate responsive documents.

5 Third, the Response to each request shall state whether documents were produced in  
6 exactly the same format/order as produced in the Los Angeles City Attorney action.

7 The Response (or amended Response) shall be served on or before September 16, 2021.  
8 The parties shall meet and confer via videoconference to the extent that any disputes remain  
9 following Plaintiffs' review of the Response (or amended Response) prior to seeking further relief  
10 from the Court.

11 This Order disposes of Docket Nos. 81, 82.

12 **IT IS SO ORDERED.**

13 Dated: September 2, 2021

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16 JACQUELINE SCOTT CORLEY  
17 United States Magistrate Judge  
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